

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

RAE LINN PEIFFER,

Plaintiff,

CASE NO. 20-13171

DISTRICT JUDGE THOMAS L. LUDINGTON

MAGISTRATE JUDGE PATRICIA T. MORRIS

v.

MERCHANT & MEDICAL CREDIT
CORPORATION, INC.,

Defendant.

**ORDER REQUIRING RULE 26(f) MEETING
AND SETTING DATE FOR INITIAL RULE 16 CONFERENCE**

The Court will conduct an initial pretrial conference by telephone **February 10, 2021 at 9:30 a.m.** Defense counsel is responsible for coordinating the conference call.

IT IS ORDERED that Plaintiff shall conduct a meeting in person or by telephone with opposing counsel no later than **January 29, 2021**, to discuss the case pursuant to Rule 26(f) of the Federal Rules of Civil Procedure. Counsel of record must cooperate and consult in good faith.

IT IS FURTHER ORDERED that Plaintiff shall file a written Rule 26(f) plan and status report on or before **February 5, 2021**. The plan must reflect the combined product of counsel's discussion and conform to E.D. Mich. LR 5.1(a). The plan must include each matter specified under Rule 26(f)(1)-(4), as well as answers to the following questions, as applicable:

1. Will the issues of the litigation be narrowed?
2. Are amendments to any pleadings necessary?
3. Will either party be seeking to join any additional parties?
4. Will the parties agree to case evaluation, and stipulate to be bound

by Michigan Court Rule 2.403, including sanctions?

5. Would a settlement conference, or some other form of alternative dispute resolution, be beneficial at this time or in the near future?

However, if either party files a Rule 12 motion in lieu of, or concurrent with, its answer, all deadlines listed in this order relating to Rule 26 are suspended. In this situation, the Court normally resolves the Rule 12 motions before issuing a scheduling order so long as it can do so while still complying with Rule 16(b)(2).

The Court also reminds the parties that at the pretrial conference it “may consider and take appropriate action” on matters such as “simplifying the issues, and eliminating frivolous claims or defenses” and “amending the pleadings. Fed. R. Civ. P. 16(c)(2)(A)-(B). Accordingly, the parties are encouraged consider these matters before the pretrial conference.

If any attorney believes that the case requires a telephone or in-person conference at any time, a request for such a conference should be directed to the Case Manager.

Date: January 19, 2021

S/ PATRICIA T. MORRIS

Patricia T. Morris

United States Magistrate Judge